

REMARKS/ARGUMENTS

Interview Summary

Telephonic interviews were conducted between the Examiner, Tauqir Hussain and the Applicants' representative, Rabindranath Dutta, on the following dates:

- (a) May 15, 2009; and
- (b) May 19, 2009.

If the Examiner believes that further information on the discussions need to be made of record to comply with the requirements 37 CFR 1.133, Applicants request the Examiner to identify such further information.

Claims are amended for expediting prosecution

In this Amendment, Applicants have amended at least independent claims 1, 38, 46 and cancelled certain other claims. Applicants are not conceding that the subject matter encompassed by the claims prior to this Amendment is not patentable over the art cited by the Examiner. Claims were amended and/or cancelled in this Amendment solely to facilitate expeditious prosecution of the pending claims. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this Amendment, the original claims, and additional claims in one or more continuing applications.

Claim rejections under 35 U.S.C. 103

The Examiner rejected the claims in the office action dated 2/19/2009 under 35 U.S.C. 103(a) as being unpatentable over:

- (a) Connor (US 2004/0024863),
- (b) in view of Sheehy (US 7233957),
- (c) in view of CRC32.cpp (A component of the Greenstone digital library software form the New Zealand Digital Library Project at the University of Waikato, New Zealand); and
- (d) in view of Pfeiffer (2007/1098291).

Applicants have amended at least independent claim 1, 38, 46, canceled certain claims, and traverse the rejection of the claims.

Amended independent claims 1, 38, 46

Amended independent claims 1, 38, 46, require processing network discovery data, and further require:

defining a plurality of network data aggregations, wherein the network data aggregations are based on switch boundaries, wherein interswitch links are used to define the plurality of network data aggregations, and wherein the network data aggregations are defined via an XML file using a DTD format, wherein the network data aggregations are based on zoning information including a zone that is a set of ports in a fabric that make up a logical boundary, wherein an inband agent executing in a storage management server conducts discovery by issuing queries to switches in a storage area network via an Internet Protocol network segment, and wherein an outband agent executing in a network management server conducts discovery by issuing queries via communication pathways in the storage area network;

computing a current state value for at least one of the network data aggregations, wherein the current state value is a CRC code, and wherein the CRC code is computed utilizing data associated with the corresponding network data aggregation and a CRC polynomial;

for at least one current state value, determining if the current state value is different than a corresponding prior state value for a corresponding network data aggregation, wherein the operation of, for at least one current state value, determining if the current state value is different than a corresponding prior state value, is performed for each of a plurality of levels in a hierarchy of data aggregations, wherein the plurality of data aggregations includes at least one data aggregation that is a subset of a corresponding superset data aggregation, and wherein the subset data aggregation is located in a hierachal ordering after the corresponding superset data aggregation; and

merging data corresponding with at least one network data aggregation determined to have a current state value that is different than a corresponding prior state value, with prior data corresponding with at least one different network data aggregation determined to

have a current state value that is not different than a corresponding prior state value for the different network data aggregation.

The Examiner rejected claims 1, 38, 46 under 35 U.S.C. 103(a) as being unpatentable over Connor, in view of Sheehy, in view of CRC32.app and further in view of Pfeiffer. Applicants have amended claims 1, 38, 46 and traverse the rejections.

Support for the newly added requirements may be found as follows:

- 1) The claim requirements of “wherein the network data aggregations are based on zoning information including a zone that is a set of ports in a fabric that make up a logical boundary” are supported by at least paragraph 39 of the Application (as published in the published patent application publication).
- 2) The claim requirements of “wherein an inband agent executing in a storage management server conducts discovery by issuing queries to switches in a storage area network via an Internet Protocol network segment, and wherein an outband agent executing in a network management server conducts discovery by issuing queries via communication pathways in the storage area network” are supported by at least paragraph 26 of the Application (as published in the published patent application publication) .
- 3) The claim requirements of “wherein the operation of, for at least one current state value, determining if the current state value is different than a corresponding prior state value, is performed for each of a plurality of levels in a hierarchy of data aggregations, wherein the plurality of data aggregations includes at least one data aggregation that is a subset of a corresponding superset data aggregation, and wherein the subset data aggregation is located in a hierachal ordering after the corresponding superset data aggregation;” are supported by at least dependent claims 16 and 17 that are now canceled.

Applicants submit that the cited Connor, the cited Sheehy, the cited CRC32.app and the cited Pfeiffer do not teach or suggest either alone or in combination the newly added claims requirements of:

“wherein the network data aggregations are based on zoning information including a zone that is a set of ports in a fabric that make up a logical boundary, wherein an inband agent executing in a storage management server conducts discovery by issuing queries to switches in a

storage area network via an Internet Protocol network segment, and wherein an outband agent executing in a network management server conducts discovery by issuing queries via communication pathways in the storage area network,”

“wherein the operation of, for at least one current state value, determining if the current state value is different than a corresponding prior state value, is performed for each of a plurality of levels in a hierarchy of data aggregations, wherein the plurality of data aggregations includes at least one data aggregation that is a subset of a corresponding superset data aggregation, and wherein the subset data aggregation is located in a hierachal ordering after the corresponding superset data aggregation;”

For the above reasons independent claims 1, 38, and 46 are patentable over the cited art.

Dependent claims 8, 10-11, 18, 37, 39-41, 44-45, 47-49, 52-53

These pending claims depend on the pending independent claims 1, 38, and 46 that the applicant submits as patentable. Accordingly claims 8, 10-11, 18, 37, 39-41, 44-45, 47-49, 52-53 provide additional grounds of patentability over the cited art.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0466.

The attorney/agent of record invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

Dated: May 19, 2009

By: _____/Rabindranath Dutta/_____

Rabindranath Dutta
Registration No. 51,010

Please direct all correspondences to:

Rabindranath Dutta
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210

Amdt. dated May 19, 2009
in response to Office action of 2/19/2009

Serial No. 10/789,124
Docket No. SJO920030103US1
Firm No. 0037.0234

Beverly Hills, CA 90212
Tel: (310) 557-2292
Fax: 310-556-7984